

LAND USE AND ZONING COMMITTEE

December 11, 2008

The Land Use and Zoning Committee hereby find and determine that all formal actions were taken in an open meeting and that all deliberations of the Land Use and Zoning Committee, which resulted in formal action, were taken in a meeting open to the general public, in full compliance with applicable legal requirements of Section 121.22 of the Ohio Revised Code.

The meeting was called to order at 6:55 p.m.

The following members were present: Messrs. Hullihen, Morse, Terriaco, and Welch, and Staff: David Radachy

Painesville Township, Text Change to Sections 5, 6.13, 11, 22, 23, 24, 34 and 35

Staff explained that these text changes were part of a committee that the Trustees formed to review the B-1 text and to add architecture and landscaping standards. The Trustees wished to upgrade the B-1 text because of the US Route 20 Upgrades. The Committee ended up expanding the scope of the focus to include the B-2, and B-3 because all three were interconnected.

Staff explained that the text supplied to the Land Use and Zoning Committee was a draft text. In order to be able to get something for the committee to review, the staff had to mail it out prior to the Painesville Township Zoning Commission accepting the text and setting the public hearing. The Painesville Township Zoning Commission made some changes to the drafted text and they were distributed in final format at this meeting.

Staff stated that the following definitions were added to the text: Addition, Antique Store, Automobile Services (including Instant Oil Change), Business Services (including Mailing & Copying Center), Car Wash, Church or Place of Religious Worship, Commercial Food Preparation Facility, Construction Equipment Sales and Rental, Enclosed Retail, Financial Institutions and Banks, Funeral Service, General Building Contractors, Hospitals, Laundromat or Dry Cleaners, Light Industrial, Heavy Industrial, Medical & Dental Office, Motor Freight Transportation Facility, New Household Furniture/Electronic Rental or Leasing and Sales, Personal Services, Transportation Services, and Urgent Care/Clinic. Staff stated that the Painesville Township Zoning Commission added the section number for Adult Oriented Business to Personal Services. They also changed the definition of Transportation Services. The new definition is: *the use of land, buildings or structures for the purpose of storing, servicing repairing or loading of trucks, transport trailers or buses, but does not include motor vehicle service stations or transportation sale or rental outlets.*

Staff stated that Painesville Township is adding a list of prohibited materials for fences to section 6.13 C 6. They are also adding standards for post heights, line of sight and height requirements for fences surrounding dining areas.

Painesville Township is adding Site Plan review standards sections 11.10 to 11.14. These standards are similar to Concord Township's. The review process is different. In Painesville Township, the Zoning Inspector receives the plan, reviews it for completeness. Then it is sent to the Site Plan Review Committee, Planning Commission Staff, and the Fire Department, all of whom make recommendations. The Zoning Inspector takes those recommendations and either has the developer correct the issues and then issue a permit, issues the permit or denies the plan. In Concord, the Zoning Commission approves the plan, approves with conditions or denies.

The Committee discussed the benefits and drawbacks to having the Zoning Commission approve the site plan; the Zoning Inspector approving the site plan with input from the Zoning

Commission; and the Zoning Inspector approving the site plan with input from the site plan review committee. In the end, the committee decided that Painesville Township knows what works the best for their community and if this is the way they want to go, then they should proceed.

Staff stated that in Section 11.14 C 12, the text is missing the section reference. The Zoning Commission also removed the action language from the flow chart and the part of the chart showing the Zoning Inspector approval with conditions.

Sections 22, 23 and 24 have been combined into section 22. All of the uses of those sections have been combined into one use chart. New uses that were defined into section 5 have also been inserted into the use chart. All of the lot and building standards have been combined into one part of section 22. New diagrams of standard lots and buffer lots have been added to this section. The Zoning Commission changed the lot diagrams in submission. The standard lot in the LUZ submission had sideline clearances of 25 feet and 15 feet. The actual standard is the total sideline clearance of 40 feet with a minimum of 10 feet on one side and 30 feet on the other. The Zoning Commission also made some grammar corrections on the purpose statement of section 22.

Staff stated that section 34 is the new architectural standards and section 35 is the new landscaping standards. In the LUZ handout, section 35 is shown as 38. Staff stated that section 35.05 C should read "one hundred (100) square feet and not one 100 square feet.

The last issue that staff had was the fact that there were no conditions created and added to section 12 for all the new conditional uses. Standards need to be created.

Staff recommended the text changes with the addition of adding the section reference to 11.14 C 12, fixing 35.05 C to read "one hundred (100) square feet and adding the conditions for the new conditional uses.

Mr. Welch made a motion to recommend staff's suggestions.

Mr. Terriaco seconded the motion.

All voted "Aye".

Motion passed.

The meeting adjourned at 7:33 P.M.